

The 10th January, 1985

No. 9/5/84-6Lab/158.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Faridabad in respect of the dispute between the workman and the management of M/s. Usha Spinning and Weaving Mills, 12/1, Mile Stone, Faridabad :—

IN THE COURT OF SHRI R. N. SINGAL, PRESIDING OFFICER, LABOUR COURT,  
FARIDABAD

Reference No. 365 of 1983

*between*

SHRI GIR RAJ KISHORE, WORKMAN AND THE RESPONDENT-MANAGEMENT OF  
M/S USHA SPINNING AND WEAVING MILLS, 12/1, MILE STONE, FARIDABAD.

*Present.—*

None for the parties.

#### AWARD

This reference has been referred to this court by the Hon'ble Governor of Haryana,—*vide* his order No. ID/FD/152-83/55965—70, dated 14th October, 1983, under section 10(i) (c) of the Industrial Disputes Act, 1947, for adjudication of the Industrial Dispute existing between Shri Gir Raj Kishore, workman and the respondent-management of M/s. Usha Spinning and Weaving Mills, 12/1, Mile Stone, Faridabad. The term of the reference was :—

Whether the termination of service of Shri Gir Raj Kishore, was justified and in order? If not, to what relief is he entitled?

It is 11.10 a.m. Called many a times. It shows that the workman is not interested in the reference. Hence the award is given that no dispute is pending between the parties.

▲ Dated, the 17th December, 1984.

R. N. SINGAL,  
Presiding Officer,  
Labour Court, Faridabad.

Endorsement No. 19, dated the 3rd January, 1985.

Forwarded (four copies) to the Commissioner and Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

R. N. SINGAL,  
Presiding Officer,  
Labour Court, Faridabad.

No. 9/5/84-6Lab./160.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Faridabad, in respect of the dispute between the workman and the management of Haryana Roadways Gurgaon.

IN THE COURT OF SHRI R. N. SINGAL, PRESIDING OFFICER, LABOUR COURT  
FARIDABAD

Reference No. 312 of 1984

*between*

SHRI SHYAM LAL, WORKMAN AND THE RESPONDENT-MANAGEMENT OF HARYANA  
ROADWAYS, GURGAON

*Present.—*

None, for the parties.

**AWARD**

This reference has been referred to this Court by the Hon'ble Governor of Haryana,—*vide* his order No. ID/FD/32-20-26, dated 29th August, 1984, under section 10 (i) (c) of the Industrial Disputes Act, 1947 for adjudication of the industrial dispute existing between Shri Shyam Lal, workman and the respondent-management of Haryana Roadways, Gurgaon. The term of the reference was:—

Whether the termination of services of Shri Shyam Lal was justified and in order ? If not, to what relief is he entitled ?

None appeared for either party. It shows that the workman is not interested in the reference. Every effort was made to serve him. The registered cover was received unserved that the workman has left the given address. Hence the award is given that there is no dispute between the parties.

R. N. SINGAL,

Dated the 28th December, 1984.

Presiding Officer,  
Labour Court, Faridabad.

Endst. No. 21, dated 3rd January, 1985

Forwarded (four copies) to the Commissioner and Secretary to Government, Haryana Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

R. N. SINGAL,

Presiding Officer,  
Labour Court,  
Faridabad.

No. 9/5/84-6Lab/161.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Faridabad, in respect of the dispute between the workman and the management of M/s R. B. Jodha Mal Bishan Lal, 13/6 Mathura Road, Faridabad.

IN THE COURT OF SHRI R. N. SINGAL, PRESIDING OFFICER, LABOUR COURT,  
[FARIDABAD]

Reference No. 114 of 1983

*between*

SHRI VIJAY PAL SHARMA, WORKMAN AND THE RESPONDENT-MANAGEMENT OF M/S  
R. B. JODHA MAL BISHAN LAL, 13/6 MATHURA ROAD, FARIDABAD

**Present.—**

Shri Bhim Singh, alongwith workman.

Shri S. D. Mishra, for the respondent-management.

**AWARD**

This reference has been referred to this court by the Hon'ble Governor of Haryana,—*vide* his order No. ID/FD/6/-83/13058, dated 18th March, 1983, under section 10(i) (c) of the Industrial Disputes Act, 1947, for adjudication of the industrial dispute existing between Shri Vijay Pal Sharma, workman and the respondent-management of M/s R. B. Jodha Mal Bishan Lal, 13/6, Mathura Road, Faridabad. The term of the reference was :—

Whether the termination of services of Shri Vijay Pal Sharma, was justified and in order ? If not, to what relief is he entitled ?

The workman has stated that he has received Rs. 1150 in full and final settlement of his all claim/disputes. He has also no right of reinstatement/re-employment.

In view of the statement of the workman the dispute has been settled and there is no dispute between the parties. The award is even accordingly.

R. N. SINGAL,

Dated the 27th December, 1984.

Presiding Officer,  
Labour Court, Faridabad.

Endorsement No. 22, dated the 3rd January, 1985.

Forwarded (four copies) to the Commissioner and Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act.

R. N. SINGAL,

Presiding Officer,  
Labour Court, Faridabad.

The 16th January, 1985

No. 9/5/84-6 Lab/165.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Rohtak in respect of the dispute between the workman and management of Municipal Committee, Hissar.

BEFORE SHRI B. P. JINDAL, PRESIDING OFFICER, LABOUR COURT, ROHTAK

Reference No. 55 of 1982

between

SHRI TILAK RAJ, WORKMAN AND THE MANAGEMENT OF MUNICIPAL COMMITTEE, HISSAR

Present.—

Shri T. C. Gupta, A. R., for the Workman.

None, for the management.

#### AWARD

1. In exercise of the powers conferred by clause (c) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947, the Governor of Haryana, referred the following dispute between the workman Shri Tilak Raj and the management of Municipal Committee, Hissar, to this Court, for adjudication,—vide Labour Department Gazette Notification No. ID/HSR/138/81/35640, dated 30th July, 1982:—

Whether the termination of service of Shri Tilak Raj, workman, was justified and in order? If not, to what relief is he entitled?

2. On receipt of the order of reference, notices were issued to the parties. Both the parties appeared. The case of the workman is that he was employed as Sweeper with the respondent for the last 13 years on monthly wages of Rs 600 and that he was hit by a buffalo and so he was not paid his wages with effect from 1st August, 1981 and was restrained from joining his duty with effect from 20th August, 1981.

3. A reply was filed by the respondent, controverting the claim of the petitioner.

4. On the pleadings of the parties, the following issue was settled for decision on 10th May, 1983.

Whether the termination of services of Shri Tilak Raj was justified and in order? If not, to what relief is he entitled?

5. Subsequently the respondent absented and so, *ex parte* proceedings order was passed against the management on 25th September, 1984.

6. In *ex parte* evidence the workman made a statement completely in corroboration of the allegations made in the claim statement. He also stated that he has since been reinstated by the respondent with effect from 12th January, 1984 and that now, the dispute which survives for adjudication is regarding back wages. Since the termination of the respondent from service

was unlawful so, there is no difficulty in awarding wages for the back period till 12th January, 1984, on which date he was reinstated. So, I find that the termination of service of the workman was illegal and unlawful but since he has been reinstated by the respondent, I award him back wages for the period he was not paid till 12th January, 1984, on which date he was reinstated. The reference is answered and returned accordingly. There is no order as to cost.

B. P. JINDAL,

Dated, the 21st December, 1984.

Presiding Officer,  
Labour Court, Rohtak,

Endorsement No. 155/82/46, dated the 1st January, 1985.

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh as required under section 15 of the Industrial Disputes Act, 1947.

B. P. JINDAL,

Presiding Officer,  
Labour Court, Rohtak,

No. 9/5/84-6Lab/166.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Rohtak in respect of the dispute between the workman and the management of The Bahadurgarh Co-operative Society Ltd., Jhajjar Road, Bahadurgarh.

BEFORE SHRI B. P. JINDAL, PRESIDING OFFICER, LABOUR COURT, ROHTAK

Reference No. 11 of 1983

*between*

SHRI VINDESHERI PARSHAD, WORKMAN AND THE MANAGEMENT OF M/S. THE  
BAHADURGARH CO-OPERATIVE SOCIETY, JHAJJAR ROAD, BAHADURGARH

*Present,—*

Shri K. D. Mandal. A. R., for the workman.

None. for the management.

#### AWARD

1. In exercise of the powers conferred by clause (c) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947, the Governor of Haryana referred the following dispute between the workman Shri Vindesheri Parshad and the management of M/s. The Bahadurgarh Co-operative Society Ltd., Jhajjar Road, Bahadurgarh, to this Court, for adjudication,—*vide* Labour Department Gazette Notification No. 1D/6222-27, dated 18th February, 1983 :—

Whether the termination of service of Shri Vindesheri Parshad was justified and in order? If not, to what relief is he entitled?

2. After receipt of the order of reference, notices were issued to the parties. The workman appeared but the respondent did not appear in spite of service through registered A.D. The claim of the workman is that he was appointed as a helper with the respondent in the month of January, 1981 on monthly wages of Rs. 350 and that his services were terminated by the respondent on 20th April, 1982 in gross violation of the provision of section 25-F of the Industrial Disputes Act, 1947.

As already observed, the respondent did not appear in spite of service and as such he was ordered to be proceeded *ex-parte*.

4. Before any *ex parte* evidence could be adduced by the workman, his learned Authorised Representative Shri K. D. Mandal made a statement in the Court that the dispute has

been amicably settled with the respondent and that the workman has been paid his dues to his satisfaction and as such now, no dispute survives for adjudication. The reference is answered and returned accordingly. There is no order as to cost.

B. P. JINDAL,

Dated, the 21st December, 1984.

Presiding Officer,  
Labour Court, Rohtak.

Endst. No. 11/83/47, dated the 1st January, 1985.

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh as required under section 15 of the Industrial Disputes Act, 1947.

B. P. JINDAL,

Presiding Officer,  
Labour Court, Rohtak.

No. 9/5/84-6Lab/167.— In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Rohtak, in respect of the dispute between the workman and the management of M/s Sooraj Mull Baij Nath Industries, Pvt. Ltd., Industrial Area, Sonapat :—

BEFORE SHRI B. P. JINDAL, PRESIDING OFFICER, LABOUR COURT, ROHTAK

Reference No. 164 of 83

*between*

SHRI DEV MUNI, WORKMAN AND THE MANAGEMENT OF M/S SOORAJ MULL BAIJ NATH INDUSTRIES, PVT. LTD., INDUSTRIAL AREA, SONEPAT

Present.—

Shri Bahadur Yadav, A. R., for the workman.

None, for the respondent.

#### AWARD

1. In exercise of the powers conferred by clause (c) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947, the Governor of Haryana, referred the following dispute, between the workman Shri Dev Muni and the management of M/s Sooraj Mull Baij Nath Industries Pvt. Ltd., Industrial Area, Sonapat, to this Court, for adjudication,—vide Labour Department Gazette Notification No. ID/51171—76, dated 21st September, 1983 :—

whether the termination of services of Shri Dev Muni, was justified and in order ? If not, to what relief is he entitled ?

2. After receipt of the order of reference, notices were issued to the parties. Both the parties appeared. Later on the respondent absented and as such he was ordered to be proceeded *ex parte*,—vide my order dated 11th October, 1984. The case of the workman is that he was employed as helper with the respondent on monthly wages of Rs. 350 and that the factory was closed by the respondent on 20th January, 1983 and the workers were laid off and they were not paid wages for the month of January 1983. An industrial dispute was raised by the workers before the Labour Officer, before whom a settlement was arrived at on 15th February, 1983, whereunder the management agreed to take back all the workers by 16th February, 1983 but the management in violation of the said settlement, did not take back the workman, and so, there is a prayer for reinstatement.

3. A reply was filed by the respondent, controverting the claim of the petitioner in toto.

4. Before the issues could be framed, the respondent absented and as such *ex parte* proceedings order was passed against the respondent by me on 23rd November, 1984.

5. In *ex parte* evidence, the workman made a statement completely in corroboration with the allegations made in the Claim Statement.

6. Ex. W-1 is a copy of the complaint filed before the Labour Officer, Sonapat. Then the workman was not taken in employment after settlement before the Labour Officer. The workman again filed a complaint before the Labour Officer, copy of which is Ex. W-2. From the evidence discussed above, which remains un-rebutted. I have reasons to find that the services of the workman have been terminated by the respondent unlawfully and as such the workman is ordered to be reinstated forthwith with continuity of service and with full back wages. The reference is answered and returned accordingly. There is no order as to cost.

Dated 21st December, 1984.

B. P. JINDAL,

Presiding Officer,  
Labour Court,  
Rohtak.

Endst. No. 164/83/48, dated 1st January, 1985

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh as required under section 15 of the Industrial Disputes Act, 1947.

B. P. JINDAL,

Presiding Officer,  
Labour Court,  
Rohtak.

No. 9/5/84-6Lab/168.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Central Act, No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Rohtak, in respect of the dispute between the workman and the management of M/s Jal (P) Ltd., Subhash Road-A, Wile Parle East Bombay :—

BEFORE SHRI B. P. JINDAL, PRESIDING OFFICER, LABOUR COURT, ROHTAK

Reference No. 283 of 1983

*between*

SHRI V. K. GROVER, WORKMAN AND THE MANAGEMENT OF M/S JAL (P) Ltd.,  
SUBHASH ROAD-A, WILE PARLE, EAST BOMBAY

*Present.—*

Shri S. S. Gupta, A. R., for the workman.

None. for the respondent.

#### AWARD

1. In exercise of the powers conferred by clause (c) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947, the Governor of Haryana, referred the following dispute, between the workman Shri V. K. Grover and the management of M/s Jal (P) Ltd., Subhash Road-A, Wile Parle, East Bombay, to this Court, for adjudication,—*vide* Labour Department Gazette Notification No. 643/2-17, dated 8th December, 1983 :—

Whether the termination of services of Shri V. K. Grover was justified and in order ? If not, to what relief is he entitled ?

2. After receipt of the order of reference notices were issued to the parties. The workman appeared but the respondent did not, in spite of service through registered notice and as such *ex parte* proceedings order was passed against the respondent on 30th June, 1984.

3. The claim of the workman is that he was appointed as a Field Officer by the respondent with effect from 9th February, 1982 with headquarter at Rohtak and though the designation of the applicant was Field Officer but actually he was performing the duties of a Salesman, booking orders for the supply of products with the respondent and that inspite of the fact that the work and conduct of the workman was satisfactory, the respondent terminated his services on 17th May, 1984 and that the said order of termination was passed in gross violation of the provisions of section 25-F of the Industrial Disputes Act, 1947.

4. As already observed the respondent did not appear inspite of service, through registered notice and as such *ex parte* proceedings order was passed against the respondent by me on 30th June, 1984.

5. In *ex parte* evidence, the workman made a statement fully corroborating the claim put forth by him in the claim statement, so, I would avoid repetition, Ex. W-1 is the photo copy of the appointment letter and Ex. W-2 is the photo copy of the letter *vide* which the services of the workman were dispensed with. I have gone through these letters. I, see no justification for the action taken by the respondent in terminating the services of the workman without complying with the provisions or section 25-F of the Industrial Disputes Act, 1947, because on the date his services were terminated, the workman has put in more than 240 days of work with the respondent and so, the respondent was bound to comply with the provisions of section 25-F of the Industrial Disputes Act, 1947, before dispensing with the services of the applicant. The respondent has not done so. Accordingly, there is no difficulty in passing on order of reinstatement in favour of the workman with continuity of service and full back wages. The reference is answered and returned accordingly. There is no order as to cost.

Dated, the 21st December, 1984.

B. P. JINDAL,

Presiding Officer,  
Labour Court, Rohtak.

Endst. No. 283/83/49, dated the 1st January, 1985.

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

B. P. JINDAL,

Presiding Officer,  
Labour Court, Rohtak.

★ No. 9/5/84-6Lab/169.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947), the Governor of Haryana, is pleased to publish the following award of the Presiding Officer, Labour Court, Rohtak, in respect of the dispute between the workman and the management of M/s Hissar Textile Mill, Hissar.

BEFORE SHRI B. P. JINDAL, PRESIDING OFFICER, LABOUR COURT, ROHTAK

Reference No. 11 of 1984

*between*

SHRI SURESH CHAND, WORKMAN AND THE MANAGEMENT OF M/S HISSAR  
TEXTILE MILL, HISSAR

*Present.—*

Shri T. C. Gupta, A. R., for the workman.

Shri S. C. Jain, A. R. for the respondent.

#### AWARD

✓ 1. In exercise of the powers conferred by clause (c) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947, the Governor of Haryana, referred the following dispute between the workman Shri Suresh Chand and the management of M/s. Hissar Textile Mill Hissar, to this Court, for adjudication,—*vide* Labour Department Gazette Notification No. 6989-94, dated 20th February, 1984 :—

Whether the termination of services of Shri Suresh Chand was justified and in order ?  
If not, to what relief is he entitled ?

2. On receipt of the order of reference, notices were issued to the parties. The parties appeared. The claim of the workman is that he was employed in Ring B Khata II on monthly wages of Rs 600 and that his services were dispensed with by the respondent in flagrant disregard of the provisions of the Industrial Disputes Act, 1947.

3. Before a reply could be filed by the respondent, the parties arrived at an amicable settlement mark "X", whereunder the claim of the workman has been fully satisfied to his satisfaction. In that behalf the learned Authorised Representative of the workman Shri T. C. Gupta has made a statement in the Court. So, now, no dispute survives for adjudication. The reference is answered and returned accordingly. There is no order as to cost.

Dated the 21st December, 1984.

B. P. JINDAL,  
Presiding Officer,  
Labour Court, Rohtak.

Endorsement No. 11/84/50, dated the 1st January, 1985.

Forwarded (four copies), to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

B. P. JINDAL  
Presiding Officer,  
Labour Court, Rohtak.

No. 9/5/84-6Lab/170.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Rohtak, in respect of the dispute between the workman and the management of M/s. Somani Pilkingtons Limited Kasar Bahadurgarh :—

BEFORE SHRI B. P. JINDAL, PRESIDING OFFICER, LABOUR COURT, ROHTAK

Reference No. 221 of 79

*between*

SHRI JUGAL KISHORE, SHARMA WORKMAN AND THE MANAGEMENT OF M/S. SOMANI  
PILKINGTONS, LIMITED, KASAR, (BAHADURGARH)

*Present.—*

Shri S. S. Gupta, A. R., for the workman.

Shri Sudhir Chadha, A. R., for the management.

#### AWARD

1. In exercise of the powers conferred by clause (c) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947, the Governor of Haryana, referred the following dispute, between the workman Shri Jugal Kishore Sharma and the management of M/s. Somani Pilkingtons Limited, Kasar (Bahadurgarh), to this Court, for adjudication,—*vide* Labour Department Gazette Notification No. FD/142-79/52378, dated 11th December, 1979.

Whether the termination of services of Shri Jugal Kishore Sharma was justified and in order? If not, to what relief is he entitled?

2. On receipt of the order of reference, usual notices were issued to the parties. The parties appeared. The workman alleged that he was employed as a Store Accounts Clerk with the respondent on monthly wages of Rs. 660 and that his services were dispensed with unlawfully by the respondent on 30th July, 1979 in flagrant disregard of the provisions of the Industrial Disputes Act, 1947.

3. In the written statement filed by the respondent, he has controverted the various pleas taken by the workman. Since this reference is being answered on grounds other than merits. So, I need not detail the pleas taken by the respondent.

4. On the Pleadings of the parties, the following issues were laid down for decision on 5th July, 1980.

1. Whether the workman resigned at his own free will and collected his dues? If so, to what effect to the reference?



2. Whether the termination of services of Shri Jugal Kishore Sharma was justified and in order? If not, to what relief is he entitled?

5. As the management was in process of adducing its evidence, a settlement was arrived at, whereunder the workman has been paid a sum of Rs. 1000 in full and final satisfaction of his claim. So, now, no dispute survives for adjudication. The reference is answered and returned accordingly. There is no order as to cost.

B. P. JINDAL,

Dated 27th December, 1984.

Presiding Officer,  
Labour Court, Rohtak,  
Camp Court, Bahadurgarh.

Endst. No. 221/79/51, dated 1st January, 1985.

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

B. P. JINDAL,

Presiding Officer,  
Labour Court, Rohtak,  
Camp Court, Bahadurgarh.

No. 9/5/84-6Lab./171.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Rohtak in respect of the dispute between the workman and the management of M/s G. P. Hysex Farm (P) LTD., Khewra Road, Bahalgarh Sonapat.

BEFORE SHRI B. P. JINDAL, PRESIDING OFFICER, LABOUR COURT, ROHTAK

Reference No. 68 of 1984

between

SHRI GULAB SINGH WORKMAN AND THE MANAGEMENT OF M/S. G. P. HYSEX FARM (P) LTD., KHEWRA ROAD, BAHALGARH (SONEPAT)

sent.—

Shri Hawa Singh, A. R., for the workman.

Shri K. L. Sethi, A. R., for the management.

#### AWARD

1. In exercise of the powers conferred by clause (c) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947, the Governor of Haryana, referred the following dispute, between the workman Shri Gulab Singh and the management of M/s G. P. Hysex Farm (P) Ltd. Khewra Road, Bahalgarh (Sonapat) to this Court, for adjudication,—vide Labour Department Gazette Notification No. 16829-34, dated 30th April, 1984 :—

Whether the termination of services of Shri Gulab Singh was justified and in order? If not, to what relief is he entitled?

2. On receipt of the order of reference, notices were issued to the parties. The parties appeared. The workman alleged that he was employed as helper with the respondent for the last about two years on monthly wages of Rs. 384/- and that his services were terminated unlawfully on 26th November, 1983 in flagrant disregard of the provisions of the Industrial Disputes Act, 1947.

3. A detailed reply was filed by the respondent controverting the claim of the petitioner in toto. I, need not detail the pleas taken by the respondent as this reference is being answered on grounds other than merits.

4. Before the issues could be framed, happily a settlement was arrived at whereunder the respondent has paid a sum of Rs. 2204.75 to the workman in full and final satisfaction of his claim. So, now, no

dispute arrives for adjudication. In terms of the settlement, the statement of the parties have been recorded and the management has placed on record settlement arrived at which is mark "X". So, this reference is answered and returned accordingly. There is no order as to cost.

Dated, the 28th December, 1984.

B. P. JINDAL,  
Presiding Officer,  
Labour Court, Rohtak.

Endorsement No. 68/84/52, dated the 1st January, 1984.

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

B. P. JINDAL,  
Presiding Officer,  
Labour court, Rohtak.

No. 9/5/84-6 Lab/172.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Rohtak, in respect of the dispute between the workman and the management of M/s Shri Sanatan Dharam High School, Bhiwani.

BEFORE SHRI B. P. JINDAL, PRESIDING OFFICER, LABOUR COURT, ROHTAK

Reference No. 201 of 1980

*between*

SHRI DEV RAJ PAHUJA, APPLICANT AND THE MANAGEMENT OF M/S SHRI SANATAN DHARAM HIGH SCHOOL, BHIWANI,

*Present.—*

Applicant in person.

Shri S. S. Gupta, A. R., for the management.

#### AWARD

1. In exercise of the powers conferred by clause (c) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947, the Governor of Haryana referred the following dispute between the applicant Shri Dev Raj Pahuja and the management of M/s Shri Sanatan Dharam High School, Bhiwani, to this Court, for adjudication, —*vide* Labour Department Gazette notification No. ID/HSR/19-80/50506, dated 22nd September, 1980.

Whether the termination of services of Shri Dev Raj Pahuja was justified and in order? If not, to what relief is he entitled?

2. On receipt of the order of reference, usual notices were issued to the parties. The parties appeared. The case of the workman is that he was working as a Headmaster with the respondent since April, 1971 and that his services were terminated unlawfully by the respondent on 11th October, 1977 in flagrant disregard of the provisions of the Industrial Disputes Act, 1947.

3. A reply was filed by the respondent, controverting the allegations in toto. Since this reference is being answered on grounds other than merits, so, I need not detail the pleas taken by the respondent.

4. On the pleadings of the parties, the following issues were settled for decision on 30th April, 1981 :—

1. Whether the petitioner is a workman under section 2 (s) of the Industrial Disputes Act, 1947?
2. Whether the reference is not maintainable in this Court as the same dispute is pending for adjudication in the Civil Court? OPM.

3. If issue No. 1 is decided in favour of the petitioner and issue No. 2 is decided against the management then whether the termination of services of Shri Dev Raj Pahuja was justified and in order ? If not, to what relief is he entitled ?

5. After the workman had produced one witness Shri B. K. Dahiya, the applicant made a statement in the Court that he does not want to prosecute the reference. Obviously, now no dispute survives for adjudication. The reference is answered and returned accordingly. There is no order as to cost.

Dated the 31st December, 1984.

B. P. JINDAL,  
Presiding Officer,  
Labour Court, Rohtak.  
Camp Court Bhiwani.

Endst. No. 201/80/53, dated the 1st January, 1985

Forwarded (four copies), to the Secretary to Government, Haryana, Labour and Employment Departments Chandigarh as required under section 15 of the Industrial Disputes Act, 1947.

B. P. JINDAL,  
Presiding Officer,  
Labour Court, Rohtak.  
Camp Court Bhiwani.

The 18th January, 1985

No. 9/5/84-6Lab/347.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Industrial Tribunal Faridabad in respect of the dispute between the workmen and the management of M/s Ram Sarup Dhani Ram Plot No. 6, Sector 24, Faridabad.

BEFORE SHRI R. N. BATRA, PRESIDING OFFICER INDUSTRIAL TRIBUNAL, HARYANA, FARIDABAD

Reference No. 23 of 1984

*between*

SHRI VIJAN KUMAR WORKMAN AND THE MANAGEMENT OF M/S RAM SARUP DHANI RAM, PLOT NO. 6, SECTOR 24, FARIDABAD

*Present :—*

Shri K. L. Sharma, for the workman.  
Shri K. P. Aggarwal, for the management.

**AWARD**

1. In exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947, the Governor of Haryana, referred the following dispute, between Shri Vijan Kumar and the management of M/s Ram Sarup Dhani Ram Plot No. 6, Sector 24, Faridabad, to this Tribunal for adjudication :—

Whether the termination of service of Shri Vijan Kumar was justified and in order ? If not, to what relief is he entitled ?

Notices were issued to both the parties. On the last date of hearing, Shri K. P. Aggarwal, representative of the Management, stated that the dispute between the workman and the management had already been settled, *vide* settlement Ex. M-1 and that the workman had already received Rs. 400 in full and final settlement of his claim and that no dispute was now left between the parties. and that the document Ex. M-1 bore the signatures of the claimant as well as the attestation of Mr. B. M. Gupta, representative of the workman and was correct. Shri K. L. Sharma, representative of the workman stated that he had heard above statement made by the representative of the management. In view of the testimony of Shri K. P. Aggarwal, representative of the Management and recitals made in the documents Ex. M-1. the dispute between the parties stands settled. The award is passed accordingly.

Dated, the 10th January, 1985.

R. N. BATRA,  
Presiding Officer,  
Industrial Tribunal, Haryana,  
Faridabad.

Endst. No. 58/, dated the 10th January, 1985

Forwarded (four copies) to the Commissioner & Secretary to Government Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

R. N. BATRA,  
Presiding Officer,  
Industrial Tribunal, Haryana,  
Faridabad.